

Form 309

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

**Elleni Berger**  
**aka Elleni Klimantis, aka Helen Berger**  
**Randy D. Berger**  
*Debtor(s)*

Case No. 18-20778-GLT  
Chapter: 13

Related to Docket No. 147

**ORDER DISMISSING CASE WITHOUT PREJUDICE AND  
TERMINATING WAGE ATTACHMENT**

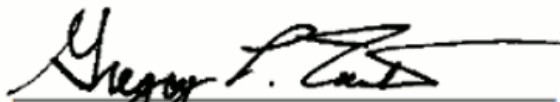
*AND NOW*, this *The 7th of September, 2021*, after notice and hearing and the Debtor(s) having failed to comply with the requirements of the *Bankruptcy Code*, the *Local Rules* of this Court and/or an Order of Court, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

(1) The above-captioned case is **DISMISSED, without prejudice**. The Debtor(s) remain legally liable for all his/her/their debts as if the bankruptcy petition had not been filed. Creditor collection remedies are reinstated pursuant to *11 U.S.C. §349*. Creditors are directed to *11 U.S.C. §108(c)* for time limits on filing a lawsuit to collect. ***Generally, a creditor's lawsuit must be filed either before the time deadline imposed by state law for filing runs, or (30) thirty days after date of this Order, whichever is later.***

(2) Each income attachment issued in this case is now terminated. So that each employer and entity subject to an attachment Order knows to stop the attachment, the Debtor(s) shall immediately serve a copy of this order on each such employer and entity.

(3) The Court retains jurisdiction over the Trustee's Report of Receipts and Disbursements and Final Report and Account. Upon submission of the UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account, the Trustee is discharged from her duties in this case and this case will be closed without further order of Court.

(4) The Clerk shall give notice to all creditors of this dismissal.

  
\_\_\_\_\_  
Gregory L. Taddonio, Judge  
United States Bankruptcy Court

Case Administrators to serve:  
All Creditors and All Parties In Interest

In re:  
Elleni Berger  
Randy D. Berger  
Debtors

Case No. 18-20778-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Sep 07, 2021

User: dbas  
Form ID: 309

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Total Noticed: 40

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 09, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Elleni Berger, Randy D. Berger, 150 Millview Drive, Pittsburgh, PA 15238-1626
cr	+ Borough of Fox Chapel, Goehring, Rutter & Boehm, 437 Grant Street, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6002
cr	+ Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 564 Forbes Avenue, Manor Building, Pittsburgh, PA 15219-2908
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ United States of America Department of the Treasur, c/oOffice of U.S. Atty for W.D. of PA, U.S. Post Office & Courthouse, 700 Grant Street, Suite 4000, Pittsburgh, PA 15219 U.S.A. 15219-1956
14831109	+ ALLY BANK, CENLAR FSB, Attn: BK Department, 425 PHILLIPS BLVD., EWING, NJ 08618-1430
14784057	+ Allstate, 1200 Atwater Drive, Suite 110, Malvern, PA 19355-8782
14784058	+ Ally Financial Bank/Cenlar, 425 Phillips Blvd, Trenton, NJ 08618-1430
14814960	+ Borough of Fox Chapel, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14784061	+ Clearspring Loan Services, Inc., P.O. Box 52238, Idaho Falls, ID 83405-2238
14784062	Commonwealth of PA, Department of Revenue, Bureau of Compliance, Department 280946, Harrisburg, PA 17128-0432
14784065	+ Duquesne Light, 411 7th Avenue, Pittsburgh, PA 15219-1942
14784066	+ Equitable Gas, P.O. Box 6766, Pittsburgh, PA 15212-0766
14784067	++ FARMERS FINANCIAL SERVICES INC, 5922 CURZON AVE, FORT WORTH TX 76107-5012 address filed with court:, Farmers Financial Services Inc., 2905 Lackland , Suite A, Fort Worth, TX 76116
14830993	+ Federal National Mortgage Association, c/o Seterus Inc, PO Box 1047, Hartford, CT 06143-1047
14784068	+ Fox Chapel Area School District, c/o Paul J. Giuffre, Solicitor, FCASD, 221 Commercial Avenue, Suite 200, Pittsburgh, PA 15215-3054
14784069	+ Fox Chapel Authority, 255 Alpha Drive, Pittsburgh, PA 15238-2944
14826966	+ Fox Chapel Authority, c/o Mark Nicely, Manager, 255 Alpha Drive, Pittsburgh, PA 15238-2944
14784070	+ Honorable Elissa Marie Lang, Magisterial District Court 05-2-04, 1205 Main Street, Pittsburgh, PA 15215-2409
15064182	+ Nationstar Mortgage LLC d/b/a Mr. Cooper, PO Box 619096, Dallas, TX 75261-9096
14784073	+ PA Department of Revenue, Bureau of Compliance, Lien Section, P.O. Box 280948, Harrisburg, PA 17128-0948
14784076	+ PNC Bank, One PNC Plaza, 249 Fifth Avenue, Pittsburgh, PA 15222-2707
14784075	Peter Wapner, Esquire, Phelan Hallian Diamond & Jones, LLP, 1617 JFK Boulevard, Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
14784077	+ Ratchford Law Group, P.C., 409 Lackawanna Ave. Suite 320, Scranton, PA 18503-2062
14784079	+ UPMC Health Services, P.O. Box 371472, Pittsburgh, PA 15250-7472
14821201	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
14821577	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
14784080	UPMC St. Margaret, P.O. Box 382059, Pittsburgh, PA 15250-8059

TOTAL: 28

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14825967	Email/PDF: MerrickBKNotifications@Resurgent.com	Sep 08 2021 02:36:41	Advanta Bank Corporation, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14817780	EDI: BECKLEE.COM		

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		Sep 08 2021 06:33:00	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14784060	EDI: CAPITALONE.COM	Sep 08 2021 06:33:00	Capital One Bank, P.O. Box 71083, Charlotte, NC 28272-1083
14797134	EDI: CAPITALONE.COM	Sep 08 2021 06:33:00	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14784063	+ EDI: PENNDEPTREV	Sep 08 2021 06:33:00	Commonwealth of PA Department of Revenue, 11th Floor, Strawberry Square, Harrisburg, PA 17128-0001
14784063	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Sep 08 2021 02:30:00	Commonwealth of PA Department of Revenue, 11th Floor, Strawberry Square, Harrisburg, PA 17128-0001
14784064	+ Email/PDF: creditonebknotifications@resurgent.com	Sep 08 2021 02:36:43	Credit One Bank, P.O. Box 60500, City of Industry, CA 91716-0500
14826777	+ Email/Text: kburkley@bernsteinlaw.com	Sep 08 2021 02:30:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14784072	EDI: IRS.COM	Sep 08 2021 06:33:00	Internal Revenue Service, Cincinnati, OH 45999
14826115	Email/PDF: resurgentbknotifications@resurgent.com	Sep 08 2021 02:36:43	LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and, FNB, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14828080	+ Email/PDF: resurgentbknotifications@resurgent.com	Sep 08 2021 02:36:43	PYOD, LLC its successors and assigns as assignee, of Citibank (South Dakota), N.A., Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
14799099	EDI: PENNDEPTREV	Sep 08 2021 06:33:00	Pennsylvania Department of Revenue, Bankruptcy Division P O Box 280946, Harrisburg PA 17128-0946
14799099	Email/Text: RVSVCBICNOTICE1@state.pa.us	Sep 08 2021 02:30:00	Pennsylvania Department of Revenue, Bankruptcy Division P O Box 280946, Harrisburg PA 17128-0946
14822133	EDI: AIS.COM	Sep 08 2021 06:33:00	Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 14

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Ally Bank
cr		Bank PNC
cr		Cenlar FSB as servicer for Ally Bank
cr		Federal National Mortgage Association (Fannie Mae)
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper
cr		PNC BANK, NATIONAL ASSOCIATION
14784074		Pallas Associates, Inc.
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14784071	*P++	INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA 19101-7346, address filed with court., Internal Revenue Service, Philadelphia, PA 19255
14784059	##+	Arthur Lashin, Esquire, Hayt, Hayt & Landau, LLC, 123 S. Broad Street, Suite 1660, Philadelphia, PA 19109-1003
14784078	##+	Seterus, P.O. Box 1077, Hartford, CT 06143-1077

TOTAL: 7 Undeliverable, 2 Duplicate, 2 Out of date forwarding address

## NOTICE CERTIFICATION

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**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 09, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 7, 2021 at the address(es) listed below:

Name	Email Address
Anthony T. Kovalchick	on behalf of Defendant Commonwealth of Pennsylvania Department of Revenue akovalchick@attorneygeneral.gov
Anthony T. Kovalchick	on behalf of Creditor Dep't of Revenue Office of Attorney General akovalchick@attorneygeneral.gov
Brian Nicholas	on behalf of Creditor Cenlar FSB as servicer for Ally Bank bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Ally Bank bnicholas@kmlawgroup.com
Daniel Philip Jones	on behalf of Creditor Ally Bank djones@sterneisenberg.com bkecf@sterneisenberg.com
David Z. Valencik	on behalf of Joint Debtor Randy D. Berger dvalencik@c-vlaw.com cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
David Z. Valencik	on behalf of Debtor Elleni Berger dvalencik@c-vlaw.com cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Plaintiff Randy Berger dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Elleni Berger dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Joint Debtor Randy D. Berger dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Plaintiff Elleni Berger dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
James A. Prostko	on behalf of Creditor Ally Bank jprostko@c-vlaw.com jamesprostko@gmail.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Fox Chapel jhunt@grblaw.com cnoroski@grblaw.com
Jill Locnikar	on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service jill.locnikar@usdoj.gov, patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

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Jodi L. Hause	on behalf of Defendant PNC Bank jodi.hause@phelanhallinan.com pawb@fedphe.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kevin Scott Frankel	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper pabk@logs.com logsecf@logs.com
Kristen D. Little	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper pabk@logs.com klittle@logs.com;logsecf@logs.com
Lauren Moyer	on behalf of Creditor Federal National Mortgage Association (Fannie Mae) ecfmail@ecf.courtdrive.com
Mario J. Hanyon	on behalf of Creditor Bank PNC wbecf@brockandscott.com mario.hanyon@brockandscott.com
Mario J. Hanyon	on behalf of Creditor Ally Bank wbecf@brockandscott.com mario.hanyon@brockandscott.com
Mark B. Peduto	on behalf of Plaintiff Elleni Berger mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Mark B. Peduto	on behalf of Joint Debtor Randy D. Berger mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Mark B. Peduto	on behalf of Plaintiff Randy Berger mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Mark B. Peduto	on behalf of Debtor Elleni Berger mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Matthew Bryce Miller	on behalf of Defendant The United States of America The Internal Revenue Service Matthew.B.Miller@usdoj.gov, Eastern.taxcivil@usdoj.gov
Nishant Kumar	on behalf of Defendant The United States of America The Internal Revenue Service nishant.kumar@usdoj.gov, Eastern.Taxcivil@usdoj.gov;robert.d.metcalfe@usdoj.gov
Nishant Kumar	on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service nishant.kumar@usdoj.gov, Eastern.Taxcivil@usdoj.gov;robert.d.metcalfe@usdoj.gov
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Robert Davidow	on behalf of Creditor Ally Bank robert.davidow@phelanhallinan.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com
Thomas Song	on behalf of Creditor Ally Bank pawb@fedphe.com
Thomas Song	on behalf of Creditor Bank PNC pawb@fedphe.com

TOTAL: 35